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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,814	09/28/2001	Bruce Alexander	118030	3066

52531   7590   09/15/2008
CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER
PESIN, BORIS M

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
09/15/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/966,814	ALEXANDER ET AL.
	Examiner	Art Unit	
	BORIS PESIN	2174	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 March 2008</u>.
2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1 and 4-40</u> is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1 and 4-40</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a)☐ All　b)☐ Some * c)☐ None of:
　　　1. ☐ Certified copies of the priority documents have been received.
　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date <u>8/23/2008, 9/3/2008</u>.
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail. Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 6/23/2008.

Claims 1 and 4-40 are pending in this application. Claims 1, 25, 29, and 37 are

independent claims. In the amendment filed 6/23/2008, Claims 1, 4, 6, 7, and 8 were

amended. This action is made Non-Final.

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

6/23/2008 has been entered.

Claim Rejections - 35 USC § 103

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 4-16, 19, 23-27, and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crater et al ("Crater," US005982362A) in view of Edlund et al. (US 6085227).

As per independent claim 1, Crater teaches a method for interacting with a remote device comprising: dynamically generating a graphical user interface responsive to a request, the graphical user interface being operable to control the remote device, wherein controlling said remote device includes accessing said remote device and issuing instructions (column 3, lines 37-45 and lines 58-64); transmitting remote device control data corresponding to said user control instructions (column 7, lines 25-36); and obtaining remote device data generated by said remote device (column 7, lines 25-36); and wherein dynamically generating a graphical user interface includes identifying a remote device corresponding to the request and selecting a program module corresponding to said identified remote device from a plurality of program modules, said program module operable to control said mote device. (Column 7, Lines 13-36, Since the user can select a specific camera, the video block (21) will activate the appropriate "program module" to display that particular video camera's information which can be controlled)

Crater does not teach dynamically issuing instructions to manipulate an operation of the remote device; obtaining user control instructions from said graphical user interface for controlling the remote device, wherein user-controlled instructions for controlling the remote device are submitted by one authorized user at a time; and in

response to receipt of said remote device control data, obtaining remote device data

generated by said remote device.

Edlund teaches teach dynamically issuing instructions to manipulate an operation

of the remote device (Column 3, Lines 35-52); obtaining user control instructions from

said graphical user interface for controlling the remote device, wherein user-controlled

instructions for controlling the remote device are submitted by one authorized user at a

time (Column 4, Lines 58-63); and in response to receipt of said remote device control

data, obtaining remote device data generated by said remote device (Column 3, Lines

35-52). It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Crater with the teachings of Edlund and include a method to

manipulate a remote device and restrict access to the number of users who can access

a remote device at one time with the motivation to provide the user a simpler method of

accessing a device without other users interfering with the access and provide for

greater versatility in accessing devices that might not be normally accessable.

As per claim 4, which is dependent on claim 1, Crater teaches dynamically

generating a graphical user interface includes: identifying two or more remote devices

corresponding to said request (column 9, lines 54-62, i.e. – data from many remote

devices can be displayed together); selecting a program module corresponding to each

identified remote device from a plurality of program modules, said program modules

operable to control said remote device (column 9, lines 54-62); generating a single

screen interface containing all program modules, said program modules operable to

generate graphical user interface components corresponding to each requested remote

device (column 9, lines 23-26 and lines 54-62).

Claim 30 is similar in scope to claim 4, and is therefore rejected under similar

rationale.

As per claim 5, which is dependent on claim 4, Crater teaches that control

instructions control the operation of all of said remote devices (column 2, lines 63-68).

As per claim 6, which is dependent on claim 1, Crater teaches that the graphical

user interface is a Web page (column 8, lines 19-25).

Claim 31 is similar in scope to claim 6, and is therefore rejected under similar rationale.

As per claim 7, which is dependent on claim 1, Crater teaches obtaining a

request corresponding to controlling one or more identifiable remote devices includes:

obtaining a request for monitoring data corresponding to said remote device (column 8,

lines 19-25).

As per claim 8, which is dependent on claim 1, Crater teaches wherein obtaining

a request corresponding to controlling one or more identifiable remote devices includes:

obtaining a request to transmit data to said remote device (column 7, lines 25-36).

As per claim 9, which is dependent on claim 8, Crater teaches that the

transmitted data causes said remote device to move (column 7, lines 25-36).

As per claim 10, which is dependent on claim 1, Crater teaches transmitting

control data includes: transmitting a request for accessing data from said remote device

(column 10, lines 49-59); and transmitting authorization for access to said remote

device (column 10, lines 49-59).

As per claim 11, which is dependent on claim 1, Crater teaches obtaining remote device data generated by said remote device includes: obtaining real-time data generated by said remote device (column 3, lines 12-15).

As per claim 12, which is dependent on claim 1, Crater teaches obtaining remote device data generated by said remote device includes: obtaining pre-recorded data generated by said remote device (column 3, lines 15-23).

As per claim 13, which is dependent on claim 1, Crater teaches that the remote device is a video camera, and wherein obtaining remote device data includes obtaining video data from said video camera (column 3, lines 12-23).

As per claim 14, which is dependent on claim 13, Crater teaches that transmitting control data includes transmitting data manipulating said video camera (column 7, lines 25-31).

As per claim 15, which is dependent on claim 1, Crater teaches that transmitting data includes manipulating operating parameters of said remote device using said graphical user interface (Column 7 Lines 25-32); and wherein obtaining remote device data includes obtaining remote device data generated by said remote device based on said manipulated operating parameters (Column 7 Lines 25-32)).

As per claim 16, which is dependent on claim 15, Crater teaches that the graphical user interface includes a graphical means for manipulating said operating parameters of said remote device, said graphical means operable to receive user inputs corresponding to said manipulation (column 3, lines 62-65 and column 7, lines 25-31).

As per claim 19, which is dependent on claim 1, Crater teaches obtaining user control data includes obtaining a request for manipulating operating parameters of said remote device (column 3, lines 62-65); and wherein transmitting remote device control data includes translating said request into device specific commands, and transmitting said device specific commands to said remote device operable to change said operating parameters of said remote device (column 7, lines 25-36).

As per claim 23, which is dependent on claim 1, Crater teaches a computer-readable medium having computer-executable instructions (column 3, lines 24-35).

As per claim 24, which is dependent on claim 1, Crater teaches a system having a processor, a memory, and an operating environment (column 3, lines 24-35).

Claim 25 is similar in scope to claim 1; therefore it is rejected under similar rationale.

As per claim 26, which is dependent on claim 25, Crater teaches that the computing device is a server computer (column 9, lines 42-47).

As per claim 27, which is dependent on claim 25, Crater teaches that the computing device is a client computer (column 9, lines 62-66).

Claim 37 is similar in scope to claim 1; therefore it is rejected under similar rationale.

As per claim 38, which is dependent on claim 37, Crater teaches a proxy server in communication with said client computer and said server computer, said proxy server operable to process and store monitoring data generated by said remote device

(column 9, lines 15-20 and column 7, lines 32-36, i.e. – camera output signals are
stored on a network host and transferred to a local server to be displayed on a client
system).

As per claim 39, which is dependent on claim 37, Crater teaches that the server
computer and said client computer are in communication via the Internet (column 7,
lines 37-49).

As per claim 40, which is dependent on claim 37, Crater teaches that the server
computer and said client computer are in communication via a dedicated device control
network (column 7, lines 37-49).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crater et
al. ("Crater," US005982362A) in view of Edlund et al. (US 6085227) further in view of
Amini et al. ("Amini," US006698021B1).

As per claim 17, which is dependent on claim 16, the teachings of Crater- Edlund
in regards to claim 16 have been discussed above. Crater teaches that the remote
device is a video camera (column 3, lines 12-23). Crater does not disclose a graphical
means that is a graphical controller including graphical representation of a compass
having an origin and directional indicators.

Amini teaches a graphical means that is a graphical controller including graphical
representation of a compass having an origin and directional indicators (figure 10C,
element 1032 and column 16, lines 1-13). It would have been obvious to one of
ordinary skill in the art at the time the invention was made to modify the teachings of

Crater- Edlund with a graphical means to control a video camera using a compass

representation, as taught by Amini, with the motivation to provide an intuitive user

interface capable of controlling camera motion relative to any initial camera position

(column 16, lines 1-6)

Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Crater et al. ("Crater," US005982362A) in view of Edlund et al. (US 6085227) in

view of Amini et al. ("Amini," US006698021B1) in further view of Brush, II et al. ("Brush,"

US# 5732232).

As per claim 18, which is dependent on claim 17, teachings of the combination of

Crater- Edlund and Amini in regards to claim 16 have been discussed above. The

combination of Crater- Edlund and Amini do not disclose that the graphical controller is

operable to communicate the intensity of said manipulation, said intensity based on the

distance away said user input is from said origin.

Brush teaches that the graphical controller is operable to communicate the

intensity of said manipulation, said intensity based on the distance away said user input

is from said origin (column 3, lines 28-35). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the teachings of the

combination of Crater- Edlund and Amini with a means to indicate the intensity of user

input based on the distance the user input is from the origin, as taught by Brush, with

the motivation to more efficiently translate user input into desired outcomes on a

graphical user interface and to enable a greater degree of user control of the interface

(column 4, lines 65-67)

As per claim 20, which is dependent on claim 18, Crater teaches remote device

data generated by said remote device based on said changed operating parameters is

real-time data (column 3, lines 12-15).

Claims 21 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Crater et al. ("Crater," US005982362A) in view of Edlund et al. (US 6085227)

further in view of Lemons et al. ("Lemons," US006504479B1).

As per claim 21, which is dependent on claim 1, the teachings of Crater- Edlund

in regards to claim 1 have been discussed above. Crater- Edlund does not disclose that

the remote device is selected from the group consisting of intrusion detection devices,

card readers, door strikes and contacts, access control panels, bar code scanners,

video cameras, still cameras, and microphones.

Lemons teaches that the remote device is selected from the group consisting

essentially of intrusion detection devices, card readers, door strikes and contacts,

access control panels, bar code scanners, video cameras, still cameras, and

microphones (column 6, lines 65-68 and column 6, lines 41-57 and column 5-6, lines

47-27). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of Crater- Edlund to include intrusion

detection devices, card readers, door strikes and contacts, access control panels, bar

code scanners, video cameras, still cameras, and microphones, as taught by Lemons,

with the motivation to monitor and control all aspects of an integrated security system
(column 2, lines 30-33).

Claim 28 is similar in scope to claim 21, and is therefore rejected under similar
rationale.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crater et
al. ("Crater," US005982362A) in view of Edlund et al. (US 6085227) further in view of
Nail (US# 5758340).

As per claim 22, which is dependent on claim 1, the teachings of Crater- Edlund
in regards to claim 1 have been discussed above. Crater- Edlund does not disclose that
the remote device can be locked, thereby preventing the simultaneous submission of
instructions by more than one user.

Nail teaches that the remote device can be locked, thereby preventing the
simultaneous submission of instructions by more than one user (column 3, lines 6-8). It
would have been obvious to one of ordinary skill in the art at the time the invention was
made to modify the teachings of Crater- Edlund with a means to lock a remote device to
prevent simultaneous submission of instructions by more than one user, as taught by
Nail, with the motivation to prevent data inconsistency (column 3, line 6).

Claims 29-31 and 35-36 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Crater et al ("Crater," US005982362A) in view of Hesselink (US
6499054) further in view of Edlund et al. (US 6085227).

As per independent claim 29, Crater teaches a method for dynamically generating a graphical user interface for controlling at least one pre-selected remote device comprising: obtaining a request to control at least one pre-selected remote device from the client device (column 3, lines 58-64); and selecting one or more program modules from a plurality of program modules in response to said request and corresponding to said request to control the at least one pre-selected remote device, said one or more program modules operable to control said remote device (column 7, lines 25-36); transmitting a screen interface with said one or more program modules (column 7, lines 25-36); wherein said screen interface containing said one or more program modules is operable to generate a graphical user interface for controlling at least one pre-selected remote device when loaded within a browser application on the client device (column 9, lines 62-66).

Crater does not teach a computer system including a client device in communication with a central server via a communication server and obtaining a request to control at least one pre-selected remote device from a remote device by a central server. Hesselink teaches a computer system including a remote device in communication with a central server via a communication server and obtaining a request to control at least one pre-selected remote device from a remote device by a central server (i.e. Figure 1A, and Figure 1B). It would have been obvious to one of ordinary skill in the art to modify Crater with the teachings of Hesselink and include a central server to control a pre-selected device with the motivation to provide the user with feedback and minimal delay (Hesselink, Column 1, Line 60).

Crater and Hesselink do not specifically tech a system wherein controlling includes accessing the at least one pre-selected remote device and dynamically issuing instructions to manipulate an operation of the at least one pre-selected remote device.

Edlund teaches, a system wherein controlling includes accessing the at least one pre-selected remote device and dynamically issuing instructions to manipulate an operation of the at least one pre-selected remote device(Column 3, Lines 35-52. It would have been obvious to a person of ordinary skill in the art to combine the teachings of Crater and Hesselink with Edlund and include a system to dynamically issue instructions to manipulate a remote device with the motivation to provide the user greater range of devices that are available to him, since some devices are really expensive, it would be convenient for them to be remotely available to many people.

As per claim 30, which is dependent on claim 29, Crater teaches a method wherein said request to control includes two or more pre-selected devices, and wherein said screen interface is an integrated screen interface containing said program modules (column 9, lines 54-62, i.e. – data from many remote devices can be displayed together), said program modules operable to generate a graphical user interface corresponding to said requested remote device when said single screen interface is loaded on a browser application (column 9, lines 23-26 and lines 54-62).

As per claim 31, which is dependent on claim 29, Crater teaches that the graphical user interface is a Web page (column 8, lines 19-25).

As per claim 35, which is dependent on claim 1, Crater teaches a computer-readable medium having computer-executable instructions (column 3, lines 24-35).

As per claim 36, which is dependent on claim 1, Crater teaches a system having

a processor, a memory, and an operating environment (column 3, lines 24-35).

Claims 32 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Crater et al. ("Crater," US005982362A) in view of Hesselink (US 6499054) in view

of Edlund further in view of Lemons et al. ("Lemons," US006504479B1).

As per claim 32, which is dependent on claim 29, the teachings of Crater,

Hesselink, and Edlund in regards to claim 29 have been discussed above. Crater and

Hesselink do not explicitly disclose that the pre-selected remote device is a video

camera having pan-tilt-zoom functionality, and wherein said graphical user interface is

operable to control said pan-tilt-zoom functionality of said video camera and to view

data from said video camera.

Lemons teaches that the pre-selected remote device is a video camera having

pan-tilt-zoom functionality, and wherein said graphical user interface is operable to

control said pan-tilt-zoom functionality of said video camera and to view data from said

video camera (column 5, lines 60-67). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify the teachings of Crater,

Hesselink, and Edlund with a means to control the pan-tilt-zoom functionality of a video

camera and view data from the video camera, as taught by Lemons, with the motivation

to control the function of remote video camera (column 3, lines 9-11) and provide the

user with easy to access information that would not normally be easily accessible.

As per claim 34, which is dependent on claim 29, the teachings of Crater, Hesselink, and Edlund in regards to claim 29 have been discussed above. Crater, Hesselink, and Edlund do not disclose that the pre-selected remote device is a motion detector.

Lemons teaches that the pre-selected remote device is a motion detector (column 7, lines 5-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Crater, Hesselink, and Edlund to include intrusion detection devices, card readers, door strikes and contacts, access control panels, bar code scanners, video cameras, still cameras, and microphones, as taught by Lemons, with the motivation to monitor and control all aspects of an integrated security system (column 2, lines 30-33).

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crater, Hesselink, and Edlund further in view of Launey et al. ("Launey," US005086385A).

As per claim 33, which is dependent on claim 29, the teachings of Crater, Hesselink, and Edlund in regards to claim 29 have been discussed above. Crater does not disclose that the pre-selected remote device is a temperature control device, and wherein said graphical user interface is operable to control said change in temperature of said temperature control device. However, Crater disclose monitoring of temperature (column 8, lines 26-31).

Launey teaches that the pre-selected remote device is a temperature control device, and wherein said graphical user interface is operable to control said change in

temperature of said temperature control device (column 16, lines 48-61). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to

modify the teachings of Crater, Hesselink, and Edlund with a means to control the

temperature through a user interface, as taught by Launey, with the motivation to

provide a simple interface to control the environment of a building (column 3, lines 10-

13).

Response to Arguments

Applicant's arguments filed 3/21/2008 have been fully considered but they are

not persuasive.

In response to the Applicant's argument that Crater does not teach "the recited

claim elements [that] select a program module at a client computer from a plurality of

program modules," (Page 13) the Examiner respectfully disagrees. The claim language

is silent with respect to where the selection is being done. Cramer does teach selecting

a program module at the remote device. In Crater, when the user selects a specific

camera, the video block (21) will activate the appropriate "program module" to display

that particular video camera's information which the user can control.

In regards to the Applicant's argument that Crater does not utilize an interface

application to obtain data from a remote device rather utilizes hardware-based

controllers (See Page 15), the Examiner respectfully disagrees. Every hardware device

must have some underlying software to run it. Crater teaches, "In addition, video block 21 will be responsive to commands issued by a remote computer which commands may include: <u>selection of a particular camera from the bank of video cameras, changing the orientation of a camera, altering the video image capture rate of a particular camera, and/or responding to instructions regarding how the video information is to be transmitted.</u>" (Column 7 Lines 25-32) Therefore, the argument that hardware based controllers do not have an interface application is unpersuasive.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Boris Pesin/
Examiner, Art Unit 2174